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15 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

16 IN AND FOR THE COUNTY OF YAVAPAI

17 STATE OF ARIZONA,

18 Plaintiff,

19 vs.

20 STEVEN CARROLL DEMOCKER,

21 Defendant.

) No. P1300CR20081339

) Div. 6

) **MOTION TO COMPEL SPRINT
TO PROVIDE DATA**

22 **MOTION**

23 On July 27, 2009, the defense forwarded to Sprint Nextel (Sprint) requests for
24 information pertaining to cell phones belonging to James Knapp and Renee Girard.
25 This information is necessary to enable counsel for Mr. DeMocker to properly prepare
26 his defense in this matter. To date, Sprint has refused to provide responses to these
27 requests.
28

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2009 NOV 12 AM 8:06

CLERK

By Shaunna Kelbaugh

The requested data is related to cell phones identified by the State in its disclosures and for which only partial information has been disclosed by the State to the defense. The defense has no other way to obtain this information.

Defendant Steven DeMocker, by and through counsel, hereby moves this Court to order Sprint to provide responses to these requests no later than November 17, 2009.

Description of Requested Disclosure

For cell phone numbers (928) 710-4883 and (928) 533-2729, for the period of time between January 1, 2008 and December 31, 2008:

1. Name, location, contract date and contact information of the cellular retailer for this subscriber's account.
2. All available subscribers' monthly statements, including all other cell number(s) in this plan with account details.
3. All available information in subscribers' Account Notes and all other information contained in subscriber's records.
4. All available data regarding the identity of each person and/or agency that made inquiry into this subscriber's account.
5. All available Call Detail Record (CDR) and a *detailed explanation* including but not limited to each of the following:
 - a. All available Toll Call Data and local Incoming and Outgoing Call Detail Record (CDR) data.
 - b. All available data regarding the "*PORTED*" history of this subscriber's cell number and associated cell numbers.
 - c. All available SMS (text message) content and/or incoming/outgoing SMS transmission tower (BTS) detail data.
 - d. All available Call Detail Record (CDR) data including which party and/or how each call was terminated.
 - e. All available voice mail (active on cellular carriers' server) duplicated onto one or more CD Roms or DVDs

- 1 f. All available Cellular Carrier Tower data, including but not limited to
2 each of the following;
- 3 i. All available Call Detail Record (CDR) data in Lat/Long
4 coordinates with each physical address location(s).
- 5 ii. All available CID data including Switch, Repoll, System ID,
6 frequency, TransmitPn, the Azimuth of each sector, individual
7 antenna (BTS) altitude (ft), # of carriers on site and carrier's
8 position(s) on each BTS.
- 9 iii. All available Round-Trip Delay (RTD) data (such as Per Call
10 Measurement Data (PCMD at the BTS).
- 11 iv. Each initiating and terminating CID / Sector with time of each
12 cellular device connection and/or transmission.
- 13 v. All available Home Location Registry (HLR) detail in each call
14 transmission (outgoing and incoming units).
- 15 6. Items 1-5 above, for all other cell numbers associated with these accounts (active
16 during any time period).
- 17 7. Any and all document copies that have been requested by/provided to any other
18 agency.
- 19 8. A CD Rom with all current U.S. market cell carrier lower sites in Excel format
20 with all Lat/Long and physical address, Repoll and/or Switch, System ID,
21 frequency, TransmitPn, LAC/CID and corresponding Azimuths.
- 22 9. The cellular carriers' tower general physical description and schematic with a
23 detailed explanation.
- 24 10. The identity and contact information of the third party vendor who collected the
25 original call data and provided same to Sprint.
- 26 11. Once the above data (entire document request) is received by Defendant Steven
27 DeMocker's attorneys, Sprint is further ordered to produce any and all requests
28 for the following:
- a. RF geographical coverage maps, including any and all "holes" for
specifically identified cell towers;
- b. Base Transceiver Station Maintenance Logs for specifically identified cell
towers.

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CONCLUSION

Defendant Steven DeMocker, by and through counsel, hereby requests that this Court order Sprint to provide responses to the above requests no later than November 30, 2009.

DATED this 12th day of November, 2009.

By:


John Sears

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Prescott, Arizona 86302

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Attorneys for Defendant

ORIGINAL of the foregoing filed
this 12th day of November, 2009, with:

Jeanne Hicks
Clerk of the Court
Yavapai County Superior Court
120 S. Cortez
Prescott, AZ 86303

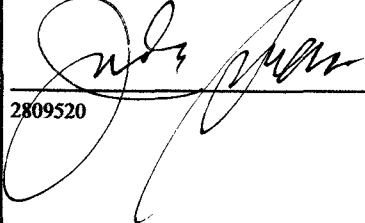
COPIES of the foregoing hand delivered
this 12th day of November, 2009, to:

The Hon. Thomas B. Lindberg
Judge of the Superior Court
Division Six
120 S. Cortez
Prescott, AZ 86303

Joseph C. Butner, Esq.
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2830 North Commonwealth Drive, #106
Camp Verde, AZ 86322

1 and mailed to :

2 Sprint Corporate Security
3 6200 Sprint Parkway
4 Overland Park, KS 66251

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7 2809520

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